

# IN THE MISSOURI COURT OF APPEALS WESTERN DISTRICT

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## COMPLETE TITLE OF CASE

LAURA REEVES,

Respondent,

v.

JASON KANDER and JOHN WATSON,

Respondents,

and

RETURNING GOVERNMENT TO THE PEOPLE and TODD S. JONES,

Appellants.

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**DOCKET NUMBER** WD78559

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**DATE:** June 9, 2015

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## APPEAL FROM

The Circuit Court of Cole County, Missouri  
The Honorable Daniel R. Green, Judge

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## JUDGES

Special Division: Mitchell, P.J., and Witt and Gabbert, JJ.

CONCURRING.

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**ATTORNEYS**

Marc H. Ellinger and Stephanie S. Bell  
Jefferson City, MO

Attorneys for Respondent Reeves,

Chris Koster, Attorney General  
Jeremiah J. Morgan, Deputy Solicitor General  
Jonathan M. Hensley, Assistant Attorney General  
Jefferson City, MO

Attorneys for Respondent Kander,

Darrell L. Moore, Chief Litigation Counsel  
Missouri State Auditor's Office  
Jefferson City, MO

Attorney for Respondent Auditor Watson,

D. John Sauer and Michael Martinich-Sauter  
St. Louis, MO

Attorneys for Appellants.

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## MISSOURI APPELLATE COURT OPINION SUMMARY MISSOURI COURT OF APPEALS, WESTERN DISTRICT

LAURA REEVES, )  
)  
Respondent, )  
v. )  
)  
JASON KANDER and JOHN WATSON, )  
)  
Respondents, ) **OPINION FILED:**  
and ) **June 9, 2015**  
)  
)  
RETURNING GOVERNMENT TO THE )  
PEOPLE and TODD S. JONES, )  
)  
Appellants. )

**WD78559**

**Cole County**

**Before Special Division Judges:** Karen King Mitchell, Presiding Judge, and Gary D. Witt and Anthony Rex Gabbert, Judges

Intervenors Todd S. Jones and Returning Government to the People (collectively “Jones”), appeal the judgment of the Circuit Court of Cole County, holding that Initiative Petition 2016-007 (“the Initiative”) violated the First Amendment to the United States Constitution, as well as the Missouri Constitution’s prohibition on amending multiple articles, and ordering that it not appear on the ballot. Jones argues that the circuit court erred in declaring the Initiative unconstitutional because: (1) the challenge to the Initiative on the grounds that it violates the First Amendment is not ripe; (2) the First Amendment challenge affects only a narrow group of entities as a result of a single sub-paragraph of the Initiative, and the Initiative contains a severability clause, thus the circuit court should not have held that the Initiative as a whole was facially unconstitutional; and (3) the Initiative amends only Article VIII of the Missouri Constitution, and any effects on Article I, section 8 of the Constitution are insufficient to hold that the Initiative amends multiple articles of the Constitution. We reverse.

**REVERSED.**

**Special Division holds:**

1. Prior to an initiative petition being certified by the Secretary of State for placement on the ballot, any citizen may file a challenge to the ballot title on the grounds that it is insufficient or unfair.
2. This review is allowed prior to the petition being circulated for signatures because the title is attached to the petition and is reviewed by citizens in determining whether to sign the petition.
3. Prior to the initiative being certified to appear on the ballot, any challenge to the constitutionality of the measure—either that it violates the prohibition against amending multiple articles of the Constitution, or that it is facially unconstitutional—is not ripe for review.
4. Courts will not hear challenges that are not ripe due to the prohibition on issuing advisory opinions.

**Opinion by: Karen King Mitchell, Presiding Judge**

June 9, 2015

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THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.